

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DANIEL SMITH,

Plaintiff,

v.

TAMMY NICKULA, DENNIS
CHERRY, PAT GLEBE, JOHN DOE,
JANE DOE,

Defendants.

CASE NO. C12-5774 RBL-KLS

ORDER GRANTING MOTION TO
STAY DISCOVERY

Before the Court is Defendants' motion to stay discovery. ECF No. 11. Defendants have filed a motion to dismiss, which is noted for November 30, 2012. ECF No. 12. The Court finds that Defendants' request is reasonable and that a stay of discovery is warranted pending the Court's consideration of the motion to dismiss.

DISCUSSION

The court has broad discretionary powers to control discovery. *Little v. City of Seattle*, 863 F.2d 681, 685 (9th Cir. 1988). Upon showing of good cause, the court may deny or limit discovery. Fed. R. Civ. P. 26(c). A court may relieve a party of the burdens of discovery while a dispositive motion is pending. *DiMartini v. Ferrin*, 889 F.2d 922 (9th Cir. 1989), amended at 906 F.2d 465 (9th Cir. 1990) *Rae v. Union Bank*, 725 F.2d 478 (9th Cir. 1984).

In their motion to dismiss, Defendants argue that Plaintiff's claims should be dismissed because he has failed to state a claim for relief. ECF No. 12. Thus, neither the parties nor this

1 Court should be burdened with the expense of discovery and discovery motions pending the
2 Court's decision on Defendants' motion as it may affect all or some of Plaintiff's claims.

3 Accordingly, it is **ORDERED**:

4 (1) All discovery in this matter is **STAYED** pending further order of this Court.

5 (2) The Clerk shall send a copy of this Order to Plaintiff and to counsel for
6 Defendants.

7 **DATED** this 30th day of November, 2012.

8
9 

10 Karen L. Strombom
United States Magistrate Judge